



SUMMARY OF THE 21ST MEETING OF THE BOARD OF DIRECTORS OF THE MILLENNIUM DEVELOPMENT AUTHORITY

SEPTEMBER 6, 2018

3:00 P.M., ACCRA MARRIOTT HOTEL, ACCRA

The following is the summary of the 21st Meeting of the Board of Directors of the Millennium Development Authority (“MiDA”) held at the Accra Marriott Hotel, Accra on the above-mentioned date and time and for which Notice was duly given in writing on August 29, 2018.

The Meeting was convened pursuant to (i) the Millennium Challenge Compact between the United States of America, acting through the Millennium Challenge Corporation (“MCC”), and the Government of the Republic of Ghana (the “*Government*”), executed on August 5, 2014 (the “*Compact*”); and (ii) the Program Implementation Agreement, by and between the United States of America, acting through MCC, and the Republic of Ghana, dated August 5, 2014 (the “*PIA*”). Capitalized terms used but not defined herein shall have the meanings given such terms in the Compact.

1. BOARD MEMBERS PRESENT AT THE MEETING:

VOTING MEMBERS

- Prof. Yaa Ntiamao-Baidu, Chairperson of the Board, Government of Ghana Principal Representative
- Hon. Gloria Afua Akuffo, Attorney General & Minister for Justice
- Hon. Robert Ahomka-Lindsay, Deputy Minister for Trade & Industry and Representative of the Minister for Trade & Industry
- Hon. Charles Adu Boahen, Deputy Minister for Finance and Representative of the Minister for Finance
- Ing. William Amuna, Representative of the Minister for Energy
- Mr. Joe Tackie, Representative of the Minister for Business Development
- Dr. Sam Kobina DeSouza, Representative of Private Enterprise Federation
- Mr. Martin Eson-Benjamin, Interim Chief Executive Officer, MiDA

OBSERVERS

- Mr. Kenny Miller, Resident Country Director, MCC

IN ATTENDANCE

- Mrs. Elisabeth Feleke, Deputy Resident Country Director, MCC
- Mr. Julius Kpekpena, Chief Operating Officer, MiDA
- Ms. Yvonne Fiadjoe, Board Secretary, MiDA
- Naa Adueley Ashong, Legal Officer, MiDA

2. UPDATE ON ECG PSP TRANSACTION

The CEO briefed the Board on the various processes leading to the Cabinet and Parliamentary approvals of the Concession Agreement. He noted that the Conditions Precedent (CP) Committee inaugurated by

His Excellency The Vice President Dr. Mahamudu Bawumia, had started its work. The COO indicated that the fulfilment of the CPs requires a lot of cooperation and engagement at various levels, especially at the Government and Board levels. After further deliberation, the Board took notice of the status of the ECG PSP Transaction and directed the CEO and Management of MiDA to facilitate the activities of the CP Committee towards the fulfilment of the 45 Conditions Precedent to the Transfer Date.

3. APPROVAL OF COMPACT DISBURSEMENT REQUEST NO.10

The CFO apprised the Board of the status of disbursements. The Board approved the Compact Disbursement Request Number 10 as presented to the Board indicating Commitments of and Spending Authority for the period 1st October 2018 to 31st December, 2018.

4. APPROVAL OF UPDATE TO COMPACT PROCUREMENT PLAN NO. 4, QR3

The Procurement Director discussed the revised Procurement Plan and highlighted new activities which were included in the Plan. The Board approved the Updates to Compact Procurement Plan No.4 QR 3, which covers procurements to be carried out up to September 30, 2019.

5. APPROVAL OF VARIATION TO THE CONTRACT FOR CONSULTANCY SERVICES FOR THE RACE TO RETROFITS AND RENEWABLES PROGRAM

The CEO explained the need to vary the Contract to include an additional exercise. Following some deliberation, the Board approved Variation Order - 2 and the amendment of the Contract of Development Environergy Services Ltd (DESL) to include the additional scope of services. The Board also approved an amendment to the Compact Procurement Plan No.4 (April 2018 - March 2019) to include two separate procurements in respect of five (5) Works Contracts for the Race to Retrofits and Renewables Program (“the Program”) and further requested that in addition to the six selected Institutions benefiting from the Program, MiDA considers a re-scoping of the Program to include all other beneficiaries.

6. APPROVAL OF ‘NO-COST’ EXTENSION TO THE CONTRACT FOR THE ASSESSMENT AND DESIGN OF DATA CENTRE, DATA RECOVERY SITES AND COMMUNICATION NETWORK UPGRADE CONSULTANCY IN ECG

The Board deliberated on and approved a “No-Cost” Extension to the Consultancy Contract for the “Assessment and Design of Data Center, Data Recovery Sites, and Communication Network Upgrade in ECG” from August 15, 2018 to December 21, 2018.

7. APPROVAL FOR THE SOLE SOURCE SELECTION TO PROCURE ONE (1) CYMDIST USER LICENSE FOR ECG

The COO explained that the CYMDIST Dongle User Licence is a proprietary software licence which can only be procured from the Software Provider. The Board approved the “sole sourcing” of *CYME International T&D* for the supply of one CYMDIST Dongle (User Licence) duly noting that the CYMDIST Dongle (User Licence) is a proprietary software licence which can only be procured from the Software Provider, *CYME International T&D*.

8. APPROVAL OF ‘NO-COST’ EXTENSION TO THE CONTRACT FOR BASELINE SURVEY, DEVELOPMENT OF SPECIFICATIONS & WORKS SUPERVISION OF STREET LIGHTING RETROFIT

Following its deliberations, the Board approved the ‘No Cost’ extension to the Contract for Baseline Survey, Development of Specifications & Works Supervision of Street Lighting Retrofit thereby extending the Contract from September 28, 2018 to April 30, 2019.

9. APPROVAL OF BUDGETARY INCREASE ON REGULATORY PARTNERSHIP PROGRAMME CONSULTANCY SERVICE

The Board deferred the discussion on the Approval of the Budgetary Increase for the Regulatory Partnership Programme Consultancy Service to the next Meeting of the Board.

10. APPROVAL OF CHANGES TO THE PROCUREMENT METHOD FOR CONTRACT FOR CONSULTANCY SERVICES FOR THE AIR CONDITIONER TEST FACILITY & ADDITIONAL TEST LABORATORIES

The Board deferred the discussion on the Approval of changes to the procurement method for the Contract for Consultancy Services for the Air conditioner Test Facility and Additional Test Laboratories to the next Meeting of the Board.

11. ANY OTHER BUSINESS

The Board deliberated on the issue of the establishment of an Executive Committee of the Board and resolved that while taking into consideration the reasons for management's proposal for the establishment of an Executive Committee of the Board ("the Committee"), the Board will refrain from establishing the Committee. To mitigate the possible delays from the Board's inability to consider all items on a Meeting's Agenda, the Board will hold regular Special Board Meetings to approve documents.